

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

HEATHER WILCOX, SP 2012-PR-033 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 12.6 ft. from rear lot line. Located at 8234 Bell La., Vienna, 22182, on approx. 7,078 sq. ft. of land zoned R-4 (Cluster). Providence District. Tax Map 39-4 ((33)) 35. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 25, 2012;

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. The Board has a staff report recommending approval, and adopts the rationale in the staff report.
3. This is a very small lot.
4. It is a very narrow wedge on a cul-de-sac.
5. In the front of the lot, the arc measures 32.75 feet.
6. The lot is very tight, and there is really nowhere to go on the sides.
7. The back of the house is really the only place to put a porch or deck or anything.
8. Immediately behind the property appears to be woods. It is the homeowners association open space for the adjacent community and a storm drainage easement.
9. Based on the record before the Board, there would not be any significant visual impact on anyone going close to that.
10. With the rest of the development conditions, particularly the tree save provision, there should not be any significant impact to the trees.
11. The Board has determined that the applicable standards in the Sect. 8-922 motion have been met.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a one-story screened porch addition (approximately 320 square feet), as shown on the plat prepared by Dominion Surveyors, Inc., dated February 29, 2012, as revised through May 21, 2012, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,698 square feet existing + 4,047 square feet (150%) = 6,745 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Prior to commencement of and during the entire construction process, the applicant shall designate the area along the southern property boundary as a tree save area to protect the existing off-site vegetation and shall install tree protection fencing to protect the vegetation in this area from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment do not occur within the area.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request

must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Ms. Gibb seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

Suzanne Frazier
Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals

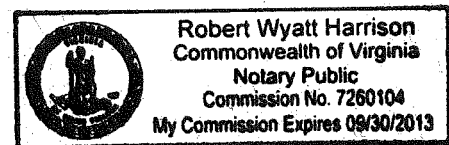
ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 3 day of August, 2012.

Robert Wyatt Harrison
Notary Public

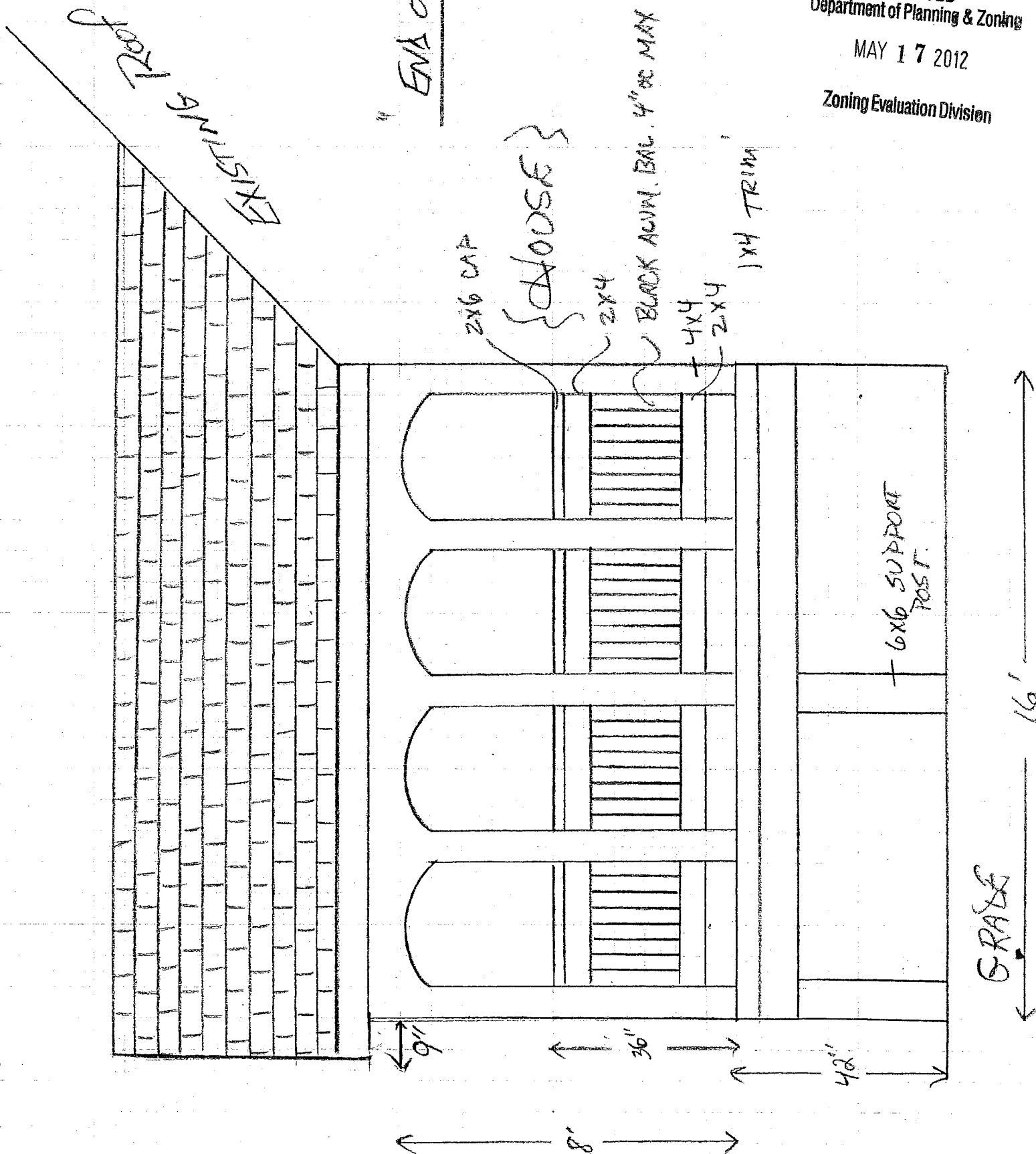
My commission expires: 9-30-2013



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Department of Planning & Zoning

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Zoning Evaluation Division

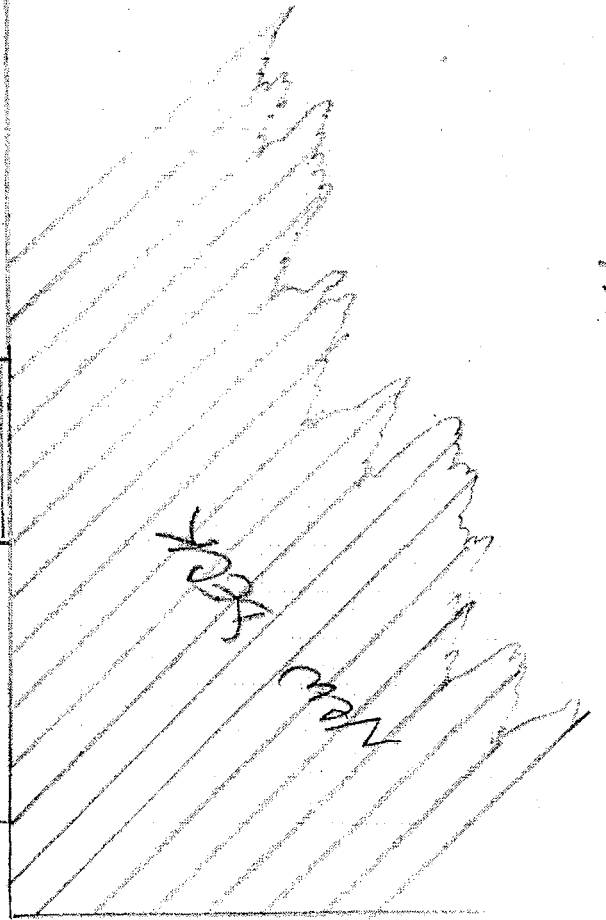
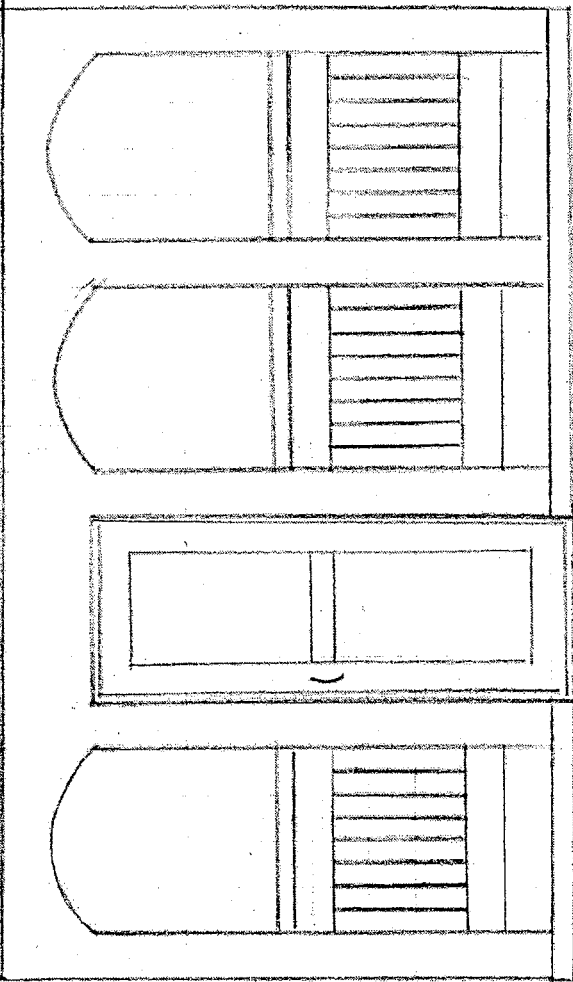
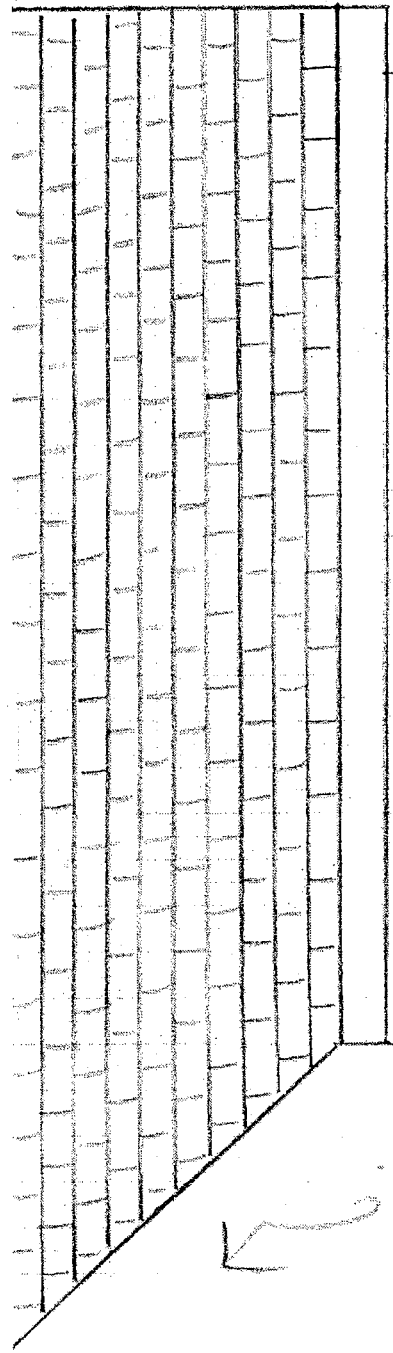


1' 0" 12/12

8'

36"

"DECK SIDE VIEW"



EXISTING HOUSE

